



1619

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY OF PAPERS
ORIGINALLY FILED

Application of : Schmelzer, C. et al) Art Unit: 1619
U.S. Appln. No. : 10/054,567) Examiner:
U.S. Filing Date : November 13, 2001
Confirmation No. : 7734
Title of Invention : Pharmaceutical Compositions based on Tiotropium Salts and Salts of
Salmeterol
Attny. Docket No. : 1/1171

Commissioner for Patents
Washington, D.C. 20231

May 17, 2002

RECEIVED

MAY 30 2002

TECH CENTER 1600/2900

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith concerning the subject application is an Information Disclosure Statement under 37 C.F.R. §§1.56 and 1.97, as more specifically described hereinbelow.

☒ 1.97(b) This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

☐ 1.97(c) This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

☐ A statement as specified in 37 C.F.R. §1.97(e) [see below]; or

☒ The fee set forth in 37 C.F.R. §1.17(p).

☐ The Assistant Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

☐ 1.97(e).

☐ Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

☐ No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

☐ The fee set forth in 37 C.F.R. §1.17(p).

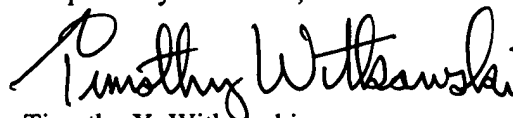
☐ The Assistant Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.

☒ The Assistant Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triplicate copies of this form are enclosed.

Respectfully submitted,



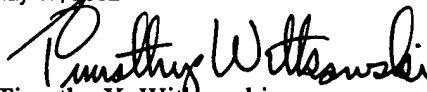
Timothy X. Witkowski
Attorney for Applicant(s)
Reg. No. 40,232

Patent Department
Boehringer Ingelheim Corp.
900 Ridgebury Road
P.O. Box 368
Ridgefield, CT. 06877
Tel.: (203) 798-4310

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
Washington, DC 20231

on May 17, 2002



By: Timothy X. Witkowski
Reg. No. . 40,232



COPY OF PAPERS
ORIGINALLY FILED

PTO/SB/08A (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB number.

Substitute for form 1449A/PTO		Complete if Known			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/054,567		
		Filing Date	November 13, 2001		
		First Named Inventor	Schmelzer, C. et al		
		Art Unit	1619		
		Examiner Name			
Sheet	1	of	2	Attorney Docket Number	1/1171

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number - Kind Code ⁴ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-			RECEIVED MAY 30 2002 TECH CENTER 1600/2900
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

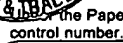
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		DE 198 47 970 A1	10/17/1998	Boehringer Ingelheim Pharma KG		
		WO 00/69468	11/23/2000	Boehringer Ingelheim Pharma KG		

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Approved for use through 10/31/2002. OMB 0651-0031

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

(use as many sheets as necessary)

Sheet	2	of	2
-------	---	----	---

Complete if Known

Application Number	10/054,567
Filing Date	November 13, 2001
First Named Inventor	Schmelzer, C. et al
Group Art Unit	1619
Examiner Name	
Attorney Docket Number	1/1171

**Examiner
Initials***

**Cite
No. 1**

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

T2

**COPY OF PAPERS
ORIGINALLY FILED**

MAY 30 2002

TECH CENTER 1600/2900

Examiner
Signature _____

Date
Considered

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.